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Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council

Draft report

I. Introduction

1. In its resolution 48/26 of 3 December 1993, the General Assembly decided to establish an Open-ended Working Group to consider all aspects of the question of increase of the membership of the Security Council and other matters related to the Security Council (for the full text of the resolution, see annex I).

2. The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council began its deliberations in January 1994. The mandate of the Working Group was extended by the General Assembly at its forty-eighth through fifty-sixth sessions.[1] Reports on the progress of its work were submitted by the Working Group to the General Assembly at its forty-eighth through fifty-sixth sessions.[2]

3. On 23 November 1998, the General Assembly adopted resolution 53/30 with regard to one of the agenda items of the Working Group, namely, "Majority required for taking decisions on Security Council reform" (for the full text of the resolution, see annex II).

4. On 8 September 2000, heads of State and Government adopted the United Nations Millennium Declaration, by which they resolved, inter alia, "to intensify our efforts to achieve a comprehensive reform of the Security Council in all its aspects" (see General Assembly resolution 55/2, para. 30).

5. On 6 September 2002, in its decision 56/477, the General Assembly decided that the Open-ended Working Group should continue its work and submit a report to the Assembly before the end of the fifty-seventh session, including any agreed recommendations. The present report has been prepared and submitted pursuant to that decision.

6. From 14 to 16 October 2002, the General Assembly considered the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council (see A/57/PV.27-32).

II. Proceedings of the Working Group during the fifty-seventh session of the General Assembly

7. The President of the General Assembly, Jan Kavan (Czech Republic), served as Chairperson of the Working Group. Ambassadors Thorsteinn Ingolfsson (Iceland) and Chuchai Kasemsarn (Thailand) served as Vice-Chairpersons of the Working Group.

8. Meetings of the Working Group were chaired, when the Chairperson of the Working Group was not present, by one of the Vice-Chairpersons.

9. During the fifty-seventh session of the General Assembly, the Open-ended Working Group held five sessions, as follows: first session, 29 January 2003; second session, 10, 12 and 13 February 2003; third session, 18, 20 and 21 March 2003; fourth session, 5 to 8 May 2003; and fifth session, 2 to XX June 2003. A total of XX meetings were held during the five sessions, during which delegations made oral as well as written proposals related to the issues discussed. Reference was made to proposals and/or position papers submitted during previous sessions and annexed to previous reports of the Working Group. All proposals remain on the table. The Working Group affirmed that the work of the General Assembly on Security Council reform should be conducted in conformity with the relevant Assembly resolutions, fully respecting the need for transparency and open-endedness.

A. First session of the Working Group

10. At its first session, on 29 January 2003, the Working Group adopted its programme of work (see annex III).

11. The Working Group agreed that it should, in the light of its discussions in preceding years, in particular its discussions in 2002, continue: (a) its consideration of cluster I issues, namely, issues arising under the second item (Decision-making in the Security Council, including the veto), the third item (Expansion of the Security Council) and the fourth item (Periodic review of the enlarged Security Council) of its programme of work; and (b) its consideration of cluster II issues, namely, issues arising under the first item (Working methods of the Security Council and transparency of its work) of its programme of work.

12. The Working Group agreed that cluster I and cluster II issues should continue to be considered by the Working Group in tandem, meaning that the Working Group should, in terms of time and emphasis, consider cluster I and cluster II issues in a similar and balanced manner.

B. Second session of the Working Group

13. At its second session, held on 10, 12 and 13 February 2003, the Working Group began its consideration at the current session of the General Assembly of cluster I and cluster II issues.

14. The Working Group's consideration of cluster I issues proceeded on the basis of annex IV to the report of the Working Group to the General Assembly at its fifty-sixth session.[3]

15. The Working Group's consideration of cluster II issues proceeded on the basis of annex V to the report of the Working Group to the General Assembly at its fifty-sixth session.[3]

C. Third session of the Working Group

16. At its third session, held on 18, 20 and 21 March 2003, the Working Group continued its consideration of cluster I and cluster II issues.

17. The Working Group's consideration of cluster I issues proceeded on the basis of annex IV to the report of the Working Group to the General Assembly at its fifty-sixth session.[3] Italy submitted a written proposal regarding decision-making procedures in an enlarged Security Council. Japan submitted a written proposal concerning the same issue. Both proposals are included in the document contained in annex IV to the present report.

18. The Working Group's consideration of cluster II issues proceeded on the basis of annex V to the report of the Working Group to the General Assembly at its fifty-sixth session.[3]

19. On 18 March 2003, in response to an invitation from the Working Group, the President of the Security Council, Ambassador Mamady Traoré (Guinea), and two additional members of the Council, Ambassadors Jeremy Greenstock (United Kingdom of Great Britain and Northern Ireland) and Adolfo Aguilar Zinser (Mexico), discussed with the Working Group steps taken by the Security Council with a view to ensuring greater openness and transparency in its procedures and working methods.

D. Fourth session of the Working Group

20. At its fourth session, from 5 to 8 May 2003, the Working Group continued its consideration of cluster I and cluster II issues.

21. With reference to cluster I issues, the Working Group received a conference room paper by the Bureau of the Working Group based on last year's working document on cluster I issues, which reflected the deliberations of the Working Group at its February and March 2003 sessions (A/AC.247/2003/CRP.2). The Working Group decided to take the approach to delete all proposals for which no delegation was claiming authorship or that were no longer supported by any member of the Working Group.

22. With reference to cluster II issues, the Working Group received a conference room paper by the Bureau of the Working Group (A/AC.247/2003/CRP.3) based on

last year's working document on cluster II issues, which similarly reflected the deliberations of the Working Group at its February and March 2003 sessions. The Working Group decided to take the approach to delete all proposals and suggested amendments for which no delegation was claiming authorship or that were no longer supported by any member of the Working Group.

23. The President of the General Assembly briefed members on the results of a questionnaire formulated in his personal capacity concerning the work and working methods of the Working Group, which he had distributed informally to all members prior to the session. The President stated that he had received responses from 63 delegations, including a joint letter of 19 Permanent Representatives. Mindful that the responses received did not necessarily reflect the views of the entire membership of the Working Group, the President stated that the result of the questionnaire had been inconclusive, although there had been near universal agreement that the current movement of the discussion in the Open-ended Working Group had been unsatisfactory.

E. Fifth session of the Working Group

24. The Working Group held its fifth session from 2 to XX June 2003.

25. [On XX June 2003, as a follow-up to the 18 March 2003 meeting (see para. 19 above) and in response to an invitation from the Working Group, the President of the Security Council and two additional members of the Council attended the meeting of the Working Group in order to discuss additional questions related to the Council's procedures and working methods.]

26. The Open-ended Working Group considered and, on XX June 2003, adopted the present report to the General Assembly. Revised versions of the conference room papers mentioned in paragraphs 21 and 22 above, reflecting the deliberations of the Working Group at the May 2003 session, are contained respectively in annexes IV and V to the present report.

III. Recommendations

27. At its XXth meeting, on XX June 2003, the Open-ended Working Group concluded its work for the current session of the General Assembly. It decided to recommend that consideration of this item be continued at the fifty-eighth session of the Assembly, building upon the work done during previous sessions and with a view to facilitating the process of reaching general agreement. To that end, the Working Group recommends to the General Assembly the adoption of the following draft decision:

> "The General Assembly, recalling its previous resolutions and decisions relevant to, and having considered the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council, established pursuant to its resolution 48/26 of 3 December 1993, and mindful of the United Nations Millennium Declaration of 8 September 2000 adopted by heads of State and Government,[4] in which they resolved, inter alia,

to intensify their efforts to achieve a comprehensive reform of the Security Council in all its aspects:

(a) Takes note of the report of the Working Group on its work during the fifty-seventh session of the General Assembly;

(b) Welcomes the progress so far achieved in the consideration of the issues dealing with the working methods of the Security Council as provisional agreement has been recorded on a large number of issues, but, noting that substantial differences of view remain on other issues, urges the Open-ended Working Group to continue exerting efforts during the fifty-eighth session to achieve progress in the consideration of all aspects of the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council;

(c) Decides that the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council should be considered during the fifty-eighth session of the General Assembly, and further decides that the Working Group should continue its work, taking into account the progress achieved during the forty-eighth through fifty-seventh sessions, as well as the views to be expressed during the fifty-eighth session of the Assembly, and submit a report to the Assembly before the end of the fifty-eighth session, including any agreed recommendations."

Notes

[1] See General Assembly decisions 48/498, 49/499, 50/489, 51/476, 52/490, 53/487, 54/488, 55/503 and 56/477.

[2] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 47* (A/48/47); ibid., *Forty-ninth Session, Supplement No. 47* (A/49/47); ibid., *Fiftieth Session, Supplement No. 47* (A/50/47/Rev.1); ibid., *Fifty-first Session, Supplement No. 47* and corrigendum (A/51/47 and Corr.1); ibid., *Fifty-second Session, Supplement No. 47* (A/52/47); ibid., *Fifty-third Session, Supplement No. 47* (A/53/47); ibid., *Fifty-fourth Session, Supplement No. 47* (A/54/47); ibid., *Fifty-fifth Session, Supplement No. 47* (A/55/47); and ibid., *Fifty-sixth Session, Supplement No. 47* (A/56/47).

[3] Ibid., *Fifty-sixth Session, Supplement No. 47* (A/56/47).

[4] General Assembly resolution 55/2.